

North Andover Conservation Commission Meeting Minutes
August 12, 2015

Members Present: Louis A. Napoli, Chairman, Douglas W. Saal, Vice Chairman, John T. Mabon, Deborah A. Feltovic.

Members Absent: Albert P. Manzi, Jr., Joseph W. Lynch, Jr., Sean F. McDonough.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:02 PM Quorum Present.

Approval of Minutes of 5/27/15 & 6/24/15

- A motion to accept the meeting minutes of 5/17/15 & 6/24/15 as drafted and reviewed is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.

Public Meeting: 7:05 PM

NACC#153, 256 Granville Lane (Costantino)

- The Administrator presents the proposal to install a vinyl fence in the front yard.
- Mr. Mabon asks if there are any violations on site.
- The Administrator states none reported. Field Inspector conducted site visit.
- Ms. Feltovic asks if wetland markers will be placed on the fence and if a preconstruction inspection is needed.
- Administrator states markers will be placed either on fence or on trees as recommended by Field Inspector. A preconstruction is not needed.
- A motion to accept this project a small project 4.4.2H is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to approve the small project as proposed with conditions for wetland makers and a post construction inspection is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Small Project*
- *Small Project Procedures*
- *Letter prepared by David and Jennifer Costantino scope of work for fence installation*
- *As Built Plan prepared by Merrimack Engineering Services, Inc. dated August 1984*

Request for Determination of Applicability

84 Candlestick Road (Yates)

- The Conservation Commission waives the reading of the legal notice. No Abutters present.

- Patricia Yates of 84 Candlestick Road is present.
- Administrator presents the proposal to replace the existing deck with slightly larger deck that would be cantilevered to the maximum extent. Support posts will need to be 14-inch closer to the resource area. A waiver request was submitted. The applicant had a prior OOC to replace a retaining wall. A COC was issued.
- A motion to accept the waiver request is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to issue a negative determination #3 & #6 with conditions for pre and post construction inspections is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Project Description*
- *Signatures and Submittal Requirements*
- *E/Mail prepared by Pete Ciaraldi of Professional Building Services dated August 5, 2015*
- *Letter from Pete Ciaraldi of Professional Building Services deck cantilever Rules and Limits Published by the American Wood Council dated August 5, 2015*
- *North Andover Conservation Commission Waiver Request Form dated July 30, 2015*
- *Notification to Abutters Form*
- *Certified Abutters List prepared by the North Andover Assessors Department dated August 3, 2015*
- *NHESP Map dated July 30, 2015*
- *USGS Map dated July 30, 2015*
- *Existing Site Conditions Plan prepared by The Neve-Morin Group, Inc. dated September 2, 2011*
- *Photos prepared by the Conservation Department dated April 1, 2010*
- *Photos prepared by the Conservation Department dated May 27, 2011*
- *Photos prepared by the Conservation Department dated August 25, 2011*
- *Photos prepared by the Conservation Department dated September 28, 2011*

Notice of Intent (NOI)

242-1651, Olde Salem Village Condos (Key-Lime, Inc.)(Hayes Engineering, Inc.) (cont. from 7/22/15)

- The Applicant Benjamin C. Osgood, Sr. and John Burke, Sr. of Key-Lime, Inc. and Peter Ogren of Hayes Engineering are present.
- The Administrator reviews the compliance letter submitted by Hayes Engineering. Deviations include a smaller stormwater management system, some roadway alignment issues, and drain manhole that will need to be raised.
- Mr. Mabon asks for a summary of all the deviations.
- Mr. Napoli states the pond needs to be certified and preferably before all work is done.
- Mr. Osgood agrees to have stormwater system reviewed by Eggleston Environmental.
- Mr. Napoli states that roof infiltrators need to be on the as-built plan.
- Ms. Feltovic asks about the shed that was not approved.

- Mr. Osgood states it is a plastic shed that is not permanent.
- A motion to close and issue a decision within 21 days is made by Mr. Mabon, seconded by Mr. Saal.
- Vote unanimous.

Documents:

- *Letter prepared by Hayes Engineering, Inc. per the Conservation Commission request dated August 11, 2015*
- *As-Built Plans prepared by Hayes Engineering, Inc. dated August 4, 2015*

242-1655, Boxford Street (Messina Development Company, Inc.) (Christiansen & Sergi, Inc.) (cont. from 7/22/15)

- The applicant Robert Messina of Messina Development Company, Inc. and Philip G. Christiansen of Christiansen & Sergi, Inc. are present.
- Mr. Christiansen reviews his conversation with Jessee Leddick of the Natural Heritage and Endangered Species Program (NHESP). He states the endangered turtles will be foraging in the area until mid-October and if work were to commence the applicant would need a turtle management plan. If work were to start later, no management plan would be needed.
- Mr. Mabon asks if there are any concerns for the turtles during the spring.
- The Administrator reviews the memo she drafted to the Planning Board regarding the open space and trails. She also reviews the last letter and email from Eggleston Environmental.
- Mr. Mabon asks if all the test pits required by Eggleston Environmental were done.
- Mr. Christiansen states they have been.
- The Commission wants to see the Vernal Pools certified.
- Mr. Napoli asks if the applicant will have everything wrapped up with NHESP and the Planning Board by the next meeting.
- A motion to grant the request for a continuance to the August 26, 2015 meeting is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Document:

- *The applicant Robert Messina verbal request for a continuance to August 26, 2015 meeting dated August 12, 2015*
- *Letter prepared by Thomas W. French PHD Division of Fisheries & Wildlife dated August 11, 2015*
- *Letter prepared by Lisa D. Eggleston, P. E. for stormwater review dated July 29, 2015*
- *E/Mails prepared by Lisa E. Eggleston, P. E. for Wellington Woods stormwater review dated August 11 & 12 2015*

242-1656, 95 Old Cart Way (Murtha III) (Giles Surveying) (cont. from 7/22/15) (Request to cont. to 8/26/15)

- Administrator states the applicant requests a continuance to the August 26, 2015 meeting.
- A motion to grant the request for a continuance to August 26, 2015 meeting is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Document:

- *E/Mail prepared by Thomas Murtha III of 95 Old Cart Way requesting a continuance to August 26, 2015 meeting dated August 3, 2015*

General Business: 7:30PM

242-1612, COC Request, 245 Boxford Street (Rogers) (North Land Survey Services)

- The applicant Carol J. Rogers of 245 Boxford Street is present.
- A motion to issue the COC for 245 Boxford Street is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Letter prepared by Northstar Land Survey Services requesting a Certificate of Compliance dated June 24, 2015*
- *Letter prepared by Carol J. Rogers requesting a Certificate of Compliance dated July 14, 2015*
- *WPA Form 8A-Request for Certificate of Compliance*
- *Plan of Land showing As-Built Conditions dated June 22, 2015*
- *Photos dated August 6, 2015*

242-1601, COC Request, 19-21 Cotuit Street (Seaport Homes, LLC) (TTI Environmental, Inc.)

- No Action taken.
- Administrator reviews the OOC requirement to set up a Homeowners Association for the condos for maintaining the Stormwater Management Plan (O & M) for the site.
- A motion to grant the request for a continuance to the August 26, 2015 meeting is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.

Document:

- *Email request for continuance from Benjamin Osgood*

242-1431, Extension Request, 1 Pond Street (Peterson)

- Administrator states the site is in substantial compliance with the Order of Conditions.
- A motion to issue a one year extension to August 15, 2016 is made Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *Letter prepared by Eric S. Peterson of 1 Pond Street requesting a one year extension dated July 19, 2015*

242-1636, Modification Request, 90 Molly Towne Road (Lot 15A) (North Andover Realty Corporation) (Christiansen & Sergi, Inc.)

- Philip Christiansen of Christiansen of Sergi, Inc. is present.
- Mr. Christiansen reviews the proposal to expand the footprint of the deck area to allow for three season porches and a deck. The deck area itself will be slightly smaller.

- Mr. Napoli asks if the roof infiltrators are sized appropriately for the increase in square footage.
- Mr. Christiansen states that they are.
- The Commission discusses restricting the enclosed porches from becoming part of the structure.
- A motion to issue the modification for 90 Molly Towne Road (Lot 15A) is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Letter prepared by Norse Environmental Services, Inc. requesting a modification dated July 28, 2015*
- *Plan Showing proposed modified deck & screen porch location as an overlay on approved site plan dated July 23, 2015*

242-1637, Modification Request, 100 Molly Towne Road (Lot 16) (North Andover Realty Corporation) (Christiansen & Sergi, Inc.)

- Philip Christiansen of Christiansen & Sergi, Inc. is present.
- Mr. Christiansen reviews the proposal to enclose a portion of the deck as a 3 season porch and relocate the roof drywell closer to the house to allow for a potential pool (not currently proposed).
- A motion to issue the modification for 100 Molly Towne Road (Lot 16) is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Letter prepared by Norse Environmental Services, Inc. requesting a modification for 100 Molly Towne Road dated August 12, 2015*
- *Plan Showing As-Built Location of Deck & Screen Porch as overlay on Approved Site Plan dated July 23, 2015*

Election of Officer, Vice Chairman (cont. from 7/22/15)

- A motion the nominate Albert P. Manzi, Jr. as Vice Chairman of the Town of North Andover Conservation Commission is made by Mr. Napoli, seconded by Ms. Feltovic.
- Vote unanimous.

Bylaw Regulations Revisions (cont. from 7/22/15)

- A motion to grant the request for a continuance to September 23, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Approval of Conservation Restriction, Half Mile Hill, Sunnyridge, Ousler

- Administrator reviews the restriction granted to Essex County Greenbelt on Sunny Ridge, Half Mile Hill Summit properties and the Ousler property. Town counsel and Greenbelt have reviewed.
- A motion to accept conservation restriction as drafted is made by Mr. Mabon, seconded by Ms. Feltovic.

- Vote unanimous.

Decision

242-1651, Olde Salem Village Condos

- The administrator reviews the draft Order of Conditions.
- The Commission accepts Order of Conditions as drafted and amended.
- A motion to accept the Order of Conditions as drafted and amended is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

***A motion to adjourn the meeting at: 8:00 PM is made by Mr. Saal, seconded by Ms. Feltovic.
Vote unanimous.***